

**Proposed Revisions Policy No. 96-1,
Leon County Purchasing and Minority/Women Business Enterprise Policy**

Section 16 MINORITY BUSINESS ENTERPRISE PARTICIPATION PROGRAM

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B. Policy Statement

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- 5) All departments and divisions under the jurisdiction of the Board of County Commissioners are responsible for implementing this program and for making every reasonable effort to utilize MWBEs when opportunities are available.

The MWBE ~~Coordinator~~ Director shall coordinate the process by taking active steps to encourage full participation of qualified capable, competent and competitive minority or women owned businesses. This will involve monitoring MWBE participation levels and informing staff of MWBE availability.

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D. Fulfilling MWBE Participation Requirements for Formal Bids and Requests for Proposals

1) Project Review and Documents

- a) The MWBE ~~Coordinator~~ Director, a Purchasing representative and an appropriate department representative shall review each proposed project or bid to determine potential for utilization of MWBEs and determine the participation levels in accord with the appropriate MWBE goal. This review is based on known availability of capable MWBEs in the area as it relates to the scope of the bid package and to identify subcontracting opportunities or opportunities for multiple bids.

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2) Contractor's Responsibilities

- c) A Contractor who determines that an MWBE named in their bid submittal(s) is unavailable or cannot perform, shall request approval from the MWBE ~~Coordinator~~ Director to name an acceptable alternate. Such requests will be approved when adequate documentation of cause for the change is presented by the contractor to the MWBE ~~Coordinator~~ Director.

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3) MWBE Contractor's/Subcontractor's Responsibilities

- a) MWBEs shall complete the MWBE certification process managed by the Leon County MWBE ~~Coordinator~~ Director in order to participate in the Leon County Minority/Woman-owned Business Enterprise Program; or, MWBEs shall be currently certified by ~~the State of Florida, a party to the~~ INTERLOCAL AGREEMENT MINORITY/WOMEN ENTERPRISE CERTIFICATION (THE INTERLOCAL AGREEMENT). Parties to THE INTERLOCAL AGREEMENT include the City of Tallahassee, ~~the Florida Department of Transportation~~ Leon County, and the Leon County School Board. However parties to THE INTERLOCAL AGREEMENT may change from time to time without notice.

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4) Contract Management

- a) Payment will be made by the Leon County Board of Commissioners within thirty (30) days upon acceptance and approval of submitted invoices. The County will provide special consideration to hardship cases upon notification given to the MWBE ~~Coordinator~~ Director and/or Purchasing Director by the MWBEs. Each contract or purchase order shall contain the payment schedule for the goods and/or services being provided.

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G. Authority and Responsibilities of MWBE Office

- 11) The MWBE ~~Coordinator~~ Director may recommend to the Purchasing Director suspension of MWBE firms from the bid list for any of the reasons listed in Section 15 of this policy.

H. Certification Eligibility

An applicant shall meet the following in order to be eligible to be certified:

- 1) Engaged in commercial transactions (for profit).
- 2) ~~Domiciled in Florida.~~
Located and managed in the four county (Gadsden, Jefferson, Leon & Wakulla) geographical area.
- 3) Owned at least 51% by minority persons who are: Permanent residents of Florida; and African Americans, Hispanic Americans, Asian Americans, Native Americans or Non-Minority Women.

- 4) Managed and controlled by one of the certifying minority persons principles.
- 5) Performing a useful business function by: currently serving customers other than state or local government agencies; operating as a regular dealer of commodities, making sales regularly from goods maintained in stock; and carrying out its responsibility to perform, manage and supervise work.
- 6) A small business enterprise which is: independently owned and operated; net worth of not more than \$5 million; and employing 200 or fewer full-time, permanent employees. Or if the business has been recognized as a 8(a) certified business by the federal government. Owned by minority persons who have not acquired their majority ownership's via a transferal from a non-minority spouse, relative or employee within two years.

I. MWBE Certification Process

- 5) MWBE Certification From Other Agencies - The County MWBE Office officially recognizes and accepts MWBE Certifications from the State of Florida (Office of Supplier Diversity), parties affiliated with THE INTERLOCAL AGREEMENT which consists of the City of Tallahassee, the Florida Department of Transportation Leon County, and the Leon County School Board. However parties to THE INTERLOCAL AGREEMENT may change from time to time without notice.

J. MWBE Re-certification Process

- 1) Certified MWBEs are required to submit a certification application annually for a review of their MWBE status.
 - a) The Office of Supplier Diversity MWBE Office will notify the certified MWBE no later than sixty (60) days prior to the certification expiration date. The MWBE certification application will be accompanied by appropriate instructions.